

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**CENTRAL LABORERS' PENSION,  
WELFARE AND ANNUITY FUNDS,**

**Plaintiff,**

**v.**

**MIDWESTERN MASONRY & RESTORATION,  
INC., R.M. Masonry, Inc., alter ego, and  
RYAN MALTER, Individually,**

**Defendants.**

**No. 09-468-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Before the Court is Plaintiff's Notice of Voluntary Dismissal (Doc. 13). Plaintiff filed the Notice in Response to the Court's Order to Show Cause (Doc. 12) why this case should not be dismissed in light of the discharge of Ryan Malter in bankruptcy court. Plaintiff, in response, have filed this Notice of voluntary dismissal, requesting that the matter in this Court be dismissed in light of the discharge. Accordingly, the Court **ACKNOWLEDGES** the Notice of Voluntary Dismissal (Doc. 13), **LIFTS the STAY** in this case, and **DISMISSES without prejudice** Plaintiff's claim against Defendants. The Court will close the file.

**IT IS SO ORDERED.**

Signed this 20th day of September, 2010.

/s/ David R. Herndon

**Chief Judge  
United States District Court**